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FM AMEMBASSY BAGHDAD
TO RUEHC/SECSTATE WASHDC PRIORITY 9507
INFO RUCNRAQ/IRAQ COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 000431

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E.O. 12958: DECL: 02/06/2017

TAGS: [PGOV](#) [PREL](#) [IZ](#)

SUBJECT: PRT KIRKUK: ARTICLE 140 - ARAB RELOCATION ISSUE
HEATS UP

REF: A. (A) 06 KIRKUK 171

[1](#)B. (B) KIRKUK 002.

[1](#)1. (C) SUMMARY: Relocation of Arabization Arabs ("Wafidain") back to their original homes outside Kirkuk Province has suddenly emerged here as a volatile issue, after the GOI Article 140 Commission's February 4th announcement of its proposed relocation program. Kirkuk's Arab Consultative Council (ACC) is claiming that the program calls for the involuntary relocation of Wafidain, and plans a demonstration on February 7th to protest the Commission's recommendations. Actual wording of the Commission's recommendations is ambiguous on whether relocation will be involuntary, but Kirkuk PC Chairman Rizgar Ali confirmed that "no one will be forced to move." Meanwhile, the National Solution Commission, a Kurdish-affiliated group of Shi'ite Arabs who claim to represent Wafidain willing to return to their origin provinces if they receive relocation payments, states that it is unhappy with the proposed USD 13,000 per family allocation and wants a larger relocation allowance. The relocation program is not official until approved by the Prime Minister, who may amend it and/or clarify the wording on relocation. END SUMMARY.

2.(SBU) IPAO met on February 5th with Mr. Hadi Luaibi, a Shi'ite Arab who describes himself as the leader of the al Hawzaeiyah Tribes Council, a Sadrist group (NOTE: Luaibi claims the group's loyalty is to the memory of Mohammed Sadr, uncle of Muqtadar, rather than directly to Muqtadar. END NOTE). Luaibi stated that he moved to Kirkuk in the 1980s from Ali Al-Gharbi in Maysan Province, due to the destruction of his home area during the Iran-Iraq War.

AN INVOLUNTARY RELOCATION PROGRAM

[1](#)3. (C) Mr. Hadi provided us with official copies of a decision announced yesterday, February 4th, by the GOI Article 140 Commission recommending a series of actions in regard to the relocation of Arabization Arabs and their offspring ("Wafidain") lit. &beneficiaries" of Arabization) to their original homes outside Kirkuk Province. Luaibi was outraged by the decision, specifically the first line, in which the Committee called for "returning" the Wafidain to their original homes. Mr. Hadi interpreted this to mean that the Shi'ite Arabs and others who moved here under Saddam's Arabization program would be forced to move from the province involuntarily.

SHIITE GROUP "NSC" WANTS LARGER RELOCATION PAYMENT

[1](#)4. (C) A few hours before speaking with Mr. Luaibi, IPAO had met with leaders of the "National Solution Commission (NSC)," a group of Shi'ite Arabs, apparently organized as an NGO, which has been "registering" Shi'ite Arabs willing to accept Article 140-authorized relocation allowances. They reportedly have a list of 7000 families ready to relocate. (NOTE: this

group was previously described in REFTEL (a). END NOTE)

¶15. (C) The NSU reps discussed the new Article 140 Commission ruling, noting that it provided a 20 million ID (about \$13,000) allowance to families willing to relocate. They said that the payments would be available both to Wafidain currently resident in Kirkuk and willing to leave, and to those who had already left, as long as they could demonstrate that they had been residents. They did not mention any compulsory aspect to the relocation process. The NSC group expressed unhappiness about the recommended compensation amount, even though it was more than the 10 million ID amount that we had heard about last week (see REFTEL (b)). They had been hoping for a larger payment (in the past they have sought as much as \$30,000 per family) and asked for US help in increasing the proposed allotment. IPA0 responded that this was an issue to be negotiated between the GOI and them.

SUNNI ARABS PLAN PROTEST DEMONSTRATION, DENOUNCE NSC

¶16. (C) Shortly after these meetings, we received a copy of a letter that the Arab Consultative Council (ACC) had sent to the Chief of Police, asking for permission to hold a "peaceful demonstration" on Wednesday, February 7th to protest the Article 140 Commission recommendations. The ACC has been increasingly outspoken about the relocation program and the role of the National Solution Commission, ever since initial reports surfaced last week that the Article 140 Commission had finalized its relocation proposals. The ACC has attacked the NSC in the harshest terms, labeling it in one recent manifesto a Kurdish front organization and claiming that its program included "tempting, or kidnapping and assassinating Arabs." (NOTE: The NSC reps have

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consistently claimed that they established their organization by themselves without outside influence, while thanking the "Kurdish parties" for their support. Recently Provincial Council Chairman Rizgar Ali, a PUK member, told PRTOFFs that the PUK had initiated the establishment of the NSC, although he claimed that since its initial startup, the organization has been self-sustaining. END NOTE).

PC CHAIRMAN SAYS NO FORCED RELOCATION

¶17. (C) The issue is being covered by the local press) Kiruk PC and GOI Article 140 Commission member Babakir Sadiq described the relocation plan to a Kurdish magazine last week, prompting Kirkuk PC Chairman Rizgar Ali to publicly state in an interview with a Kurdish newspaper that "no one is (to be) forced out of Kirkuk. People who say this try to destroy the mechanism for implementing Article 140..." On February 6th, in response to questioning about the Commission's announcement, Rizgar reiterated his earlier statement, telling Kirkuk PRT Team Leader that "no one will be forced to move."

¶18. (C) COMMENT: Our reading of TAL Article 58 and Article 140 is that they do NOT authorize forcible removal of Wafidain Arabs from their homes in Kirkuk. Many of our interlocutors, however) including Arabs, Kurds, and Turkomans) seem convinced that the law mandates involuntary return of Wafidain to their original homes. This may be because of some ambiguous language in the Arabic and Kurdish texts of TAL Article 58. Estimates of the number of Wafidain who could be impacted by the relocation program vary. The NSC claims that their 7,000 enrolled families constitute at least 85% of remaining Wafidain in Kirkuk. Luaibi stated that there are only about 2000 Wafidain families remaining. The rest, he said, have already returned to their homes elsewhere in Iraq.

¶19. (C) This issue, if not properly handled, could prove explosive. The relocation program, however, will not be

finalized until approved by the Prime Minister, and it is unclear if he will sign off on the program as presented by the Commission, or if he will make significant changes, including perhaps a clarification of the wording over relocation. We assume that PC Chairman Rizgar,s statement to PRT team leader represents the correct GOI position, that relocation will be voluntary. We will suggest to the provincial government that they consider public media announcements to explain in detail how this program will be implemented and to correct misconceptions over the program,s voluntary nature. END COMMENT.
KHALILZAD